

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIEGO SANAY, *individually, and on behalf of
others similarly situated,*

Plaintiff,

-against-

DOWNTOWN RESTAURANT CO., LLC,

Defendant.

Civil Action No.: 14-CV-09036 (VSB)

**STIPULATION OF DISMISSAL WITH
PREJUDICE**

WHEREAS, Plaintiff Diego Sanay endeavors to voluntarily withdraw his claims and dismiss this action with prejudice as against Defendant Downtown Restaurant Co., LLC ("Defendant"), and Defendant consents to such withdrawal;

WHEREAS, no party herein is an incompetent for whom a Committee has been appointed; and

WHEREAS, there is no person not a party who has an interest in the subject matter of this action;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties herein, that the above captioned action be dismissed with prejudice as against Defendant in accordance with Rule 41(a)(1) of the Federal Rules of Civil Procedure and without costs or attorneys' fees to either party.

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SO ORDERED:

Honorable Vernon S. Broderick, U.S.D.J.